

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

SAMANTHA RAJAPAKSE

Plaintiff,

v.

INTERNET ESCROW SERVICES,

d/b/a Escrow.com

Defendants.

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No. 1:21-cv-00158-CLC-CHS

ORDER

The Clerk's Office erroneously and inadvertently issued a summons to Plaintiff for Internet Escrow Services (IES) on November 15, 2021. On November 17, 2021, Plaintiff filed proof of service that IES was served by the United States Postal Service, overnight delivery, on November 16, 2021. [Doc. 14]. For the reasons stated below, the Court hereby **ORDERS** that IES's deadline to answer or otherwise respond to the complaint is **EXTENDED** until (1) the Court completes the screening of Plaintiff's complaint required by 28 U.S.C. § 1915(e)(2) and (2) enters an Order giving IES twenty-one days to answer or otherwise respond.

Plaintiff is *pro se* and seeks to proceed in this case *in forma pauperis*. On July 21, 2021, the Court granted Plaintiff's motion to proceed *in forma pauperis*, but also ordered that "[p]rocess shall not issue until the Court has completed screening and orders process to issue." [Doc. 7, July 21, 2021 Order].

Under 28 U.S.C. § 1915(e)(2), the Court has the responsibility to screen all actions filed by plaintiffs seeking *in forma pauperis* status and to dismiss any action or portion thereof which is frivolous or malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief against a defendant who is immune from such relief. The Court has not yet completed the

screening and has not ordered a summons to issue.¹ Thus the summons should not have issued for Internet Escrow Services.

Accordingly, it is **ORDERED**:

1. IES's deadline to answer or otherwise respond to the complaint is **EXTENDED** until (1) the Court completes the screening of Plaintiff's complaint required by 28 U.S.C. § 1915(e)(2) and (2) enters an Order giving IES twenty-one days to answer or otherwise respond, and
2. The Clerk of Court shall send a copy of this Order to
Internet Escrow Services
180 Montgomery St.
San Francisco, CA 94104

SO ORDERED.

/s/ Christopher H. Steger
UNITED STATES MAGISTRATE JUDGE

¹ If the undersigned Magistrate Judge issues a report and recommendation as part of the screening process under 28 U.S.C. § 1915(e), the screening process shall not be complete until the District Court either accepts or rejects the report and recommendation.